

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

ROBERT S.,¹

Case No. 3:21-cv-000795-MTK

Plaintiff,

ORDER

v.

COMMISSIONER, Social Security
Administration,

Defendant.

KASUBHAI, United States District Judge:

Plaintiff Robert S. brought this action seeking review of the Commissioner's final decision denying his application for Supplemental Security Income and Disability Insurance Benefits. ECF No. 1. On March 15, 2022, pursuant to a stipulated motion for remand, the Court entered judgment reversing and remanding the case pursuant to sentence four of 42 U.S.C. § 405(g). ECF Nos. 17-19.

Plaintiff's attorney now seeks an award of fees pursuant to 42 U.S.C. § 406(b). ECF No. 24. Defendant neither supports nor opposes the request. ECF No. 25 at 6. The Court has

¹ In the interest of privacy, the Court uses only the first name and last name initial of non-government parties whose identification could affect Plaintiff's privacy.

reviewed the record in the case, the motion and supporting materials including the award of benefits, the fee agreement with counsel, and the recitation of counsel's hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court finds the requested fees reasonable.

Plaintiff's Motion for Attorney Fees Under 42 U.S.C. § 406(b) (ECF No. 23) is hereby GRANTED as follows: Plaintiff's counsel is awarded an attorney's fee under the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$17,374.00, to be paid in accordance with agency policy. When issuing the section 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the \$7,100.00 previously received under EAJA and send Plaintiff's attorney the balance of \$10,274.00 less any applicable processing fees as allowed by statute. Any amount withheld after all administrative and court attorney's fees are paid should be released to Plaintiff.

IT IS SO ORDERED.

DATED this 13th day of June 2025.

s/ Mustafa T. Kasubhai
MUSTAFA T. KASUBHAI (He / Him)
United States District Judge